

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RODO INC.,	:	
	:	
Plaintiff,	:	
	:	22-CV-9736 (VSB)
-against-	:	
	:	<u>ORDER</u>
TALLES GUIMARAES and ARI COHEN,	:	
	:	
Defendants.	:	
	:	
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VERNON S. BRODERICK, United States District Judge:

For the reasons stated on the record at the hearing on Plaintiff’s application for a temporary emergency restraining order on November 18, 2022, Plaintiff’s application for a temporary restraining order is DENIED as to Talles Guimaraes. A ruling on Plaintiff’s application for a temporary restraining order as to Ari Cohen shall be held in abeyance pending further action of the Court. It is further

ORDERED that by November 23, 2022, Defendants shall submit declarations discussing their copying of Plaintiff’s trade secrets and confidential information, and their use and retention of that information in other enterprises, whether with Exactcar or otherwise. For the purposes of this Order, “trade secrets and confidential information” shall have the meaning set out by Plaintiff in its Amended Proposed Order to Show Cause. (Doc. 22-2.)¹ These declarations shall

¹ That is, information about “(i) the ‘Pricing Engine,’ and any portion of it, including, without limitation, any code or algorithms from it (all as defined and described at Dkt. No. 15 ¶¶ 3–8); (ii) Rodo’s separate, proprietary automated system that reroutes and fulfills orders placed on vehicles that were already sold by a dealership (as described at Dkt. No. 15 ¶ 9); (iii) the names and contact information of Rodo’s data providers and the relevant contact persons at those data providers (as described at Dkt. No. 15 ¶ 13); (iv) the names and contact information of Rodo’s dealers in its network of over 1,200 dealers (as described at Dkt. No. 15 ¶¶ 8, 14, 15); (v) the names and contact information of brokers who do business with Rodo (as described at Dkt. No. 15 ¶ 31); and (vi) Rodo’s customer lists.” (Doc. 22-2 at 2 n.1.)

not preclude the filing of other declarations by Defendants as part of briefing on Plaintiff's motion for a preliminary injunction. And,

It is FURTHER ORDERED that the parties shall meet-and-confer and submit a joint letter setting out a schedule for expedited discovery on matters related to Plaintiff's motion for a preliminary injunction by November 30, 2022. This discovery shall be reciprocal and may include depositions of a length not to exceed three hours. And,

It is FURTHER ORDERED that the transcript of the November 18, 2022, hearing shall be SEALED with access restricted to the parties' attorneys only. Parties shall propose any redactions to the transcript within one week of receiving it from the court reporter.

SO ORDERED.

Dated: November 18, 2022
New York, New York

A handwritten signature in black ink, reading "Vernon Broderick". The signature is written in a cursive, flowing style. The first name "Vernon" is written in a larger, more prominent script, and "Broderick" follows in a similar but slightly smaller script. The signature is positioned above the printed name and title.

VERNON S. BRODERICK
United States District Judge